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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 RAY LEE VAUGHN,

12 Petitioner,

13 vs.

14 D. ADAMS,

15 Respondent.
16 _____/

CASE NO. CV-F-01-5241 OWW DLB HC
ORDER DIRECTING RESPONDENT _____
TO COMMENCE STATE COURT
PROCEEDINGS WITHIN SIXTY
DAYS, IF NOT YET COMMENCED

17 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant
18 to 28 U.S.C. § 2254.

19 On February 13, 2007, the instant petition for writ of habeas corpus was granted, and the State
20 was directed to inform the Court within ninety days from the date of service whether it would retry
21 Petitioner on the state charges. (Court Doc. 73.) On May 8, 2007, Respondent filed a status report
22 indicating that the Kern County District Attorney's Office will retry Petitioner. (Court Doc. 75.) It is
23 not apparent whether re-trial proceedings have begun or when they will begin.

24 Accordingly, it is HEREBY ORDERED that:

- 25 1. Respondent shall commence, if not already, the state court proceedings leading to re-trial
26 within **sixty (60)** days from the date of service of this order. If the state court
27 proceedings have already begun, Respondent shall file a status report so indicating within
28 **ten (10)** days from the date of service of this order.

IT IS SO ORDERED.

Dated: August 7, 2007

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE